

CITY COUNCIL CITY OF LODI  
COUNCIL CHAMBERS CITY HALL  
NOVEMBER 19, 1952

This regular meeting of the City Council of the City of Lodi held beginning at 8:00 o'clock p.m. of Wednesday, November 19, 1952; Councilmen Pressler, Richey, Rinn and Robinson present; Councilman Haskell (Mayor) absent.

In the absence of Mayor Haskell, City Clerk Graves called for nominations for Mayor pro tem. The name of Councilman Rinn was entered into nomination. There being no further nominations, Councilman Rinn was elected Mayor pro tem by a unanimous vote.

The minutes of the previous meeting, November 5, 1952, were approved as written and mailed.

#### COMMUNICATIONS

Letter from Robert J. Wertz, attorney for the City Cab Company, requesting consent of the Council for the transfer of partnership interest in the taxi cab permit issued by the City of Lodi from Cecil Linder to Edward Dancer, present co-holder of the permit. The Council noted the transfer in partnership and determined that no further action on the part of the Council was necessary since the permit to Mr. Dancer had already been granted.

Notification that the City Planning Commission at its meeting of November 10, 1952, had approved the tentative map of Lawrence Ranch subdivision subject to the naming of the streets and to its annexation to the City.

LAWRENCE  
RANCH  
SUBDIVISION

OPENING  
S. WASHINGTON  
STREET

A memorandum from the City Planning Commission stating that the Commission had considered the request for the opening of South Washington Street referred to it by the Council. The Planning Commission determined that there would be no particular benefit derived by the City in the improvement of said street from Acacia Street to Kettleman Lane. It observed that this problem is strictly a local problem, and there are no extenuating circumstances that would warrant the City to finance the improvements to the street.

LOADING ZONE  
TRANSFER

A letter from Lillian Waib, operator of a specialty shop at 110 South Church Street, requesting that the loading zone on Church Street in front of her shop be transferred to rear of the building in the Oak Street parking lot. She explained that the Richplan Corporation will occupy the back room of the building and will require a loading zone to unload home freezers. City Manager Weller stated that there was no mechanical difficulty created by the granting of this request; however, to date the City has never reserved parking space in the City operated parking lots. Councilman Robinson stated that at this point he was not in favor of granting the request, but that he would like to have the matter held over to a subsequent meeting in order that he could give the matter some study. It was agreed that the question would be held over.

C.P. MECKLER  
REQUESTS  
LEAVE OF  
ABSENCE

A letter from Christian Meckler, Assistant City Engineer, requesting leave of absence for one year from December 7, 1952. Mr. Meckler states that he will be employed for one year on a government defense contract construction job, and that

he intends to return to work with the City of Lodi at the conclusion of the year. Councilman Robinson stated that he felt that there were extenuating circumstances in this case and that the request should be granted. Mayor pro tem Rinn replied that he wished that ex-tenuating circumstances could be found in this case; however, the policy of the Council has been to grant leaves of absence of this type only in instances where the employee is being drafted or recalled to the armed forces. He stated that he did not feel that the Council could be consistent with its stated policy and grant this request. Councilman Robinson then moved, with regret, that the request of Mr. Meckler be disapproved in line with the established policy of the Council. The motion was seconded by Councilman Richey and passed. Councilman Robinson then requested that Mayor pro tem Rinn write a letter to Mr. Meckler expressing the appreciation of the City for his services.

#### PUBLIC HEARINGS

##### FALLS AVENUE

At this time the Mayor pro tem called on any persons having matters to present to the City Council to be heard. Mr. O. S. Braucht of 651 North Crescent Avenue addressed the City Council on behalf of the residents of the 600 and 700 blocks on North Crescent and Roper Avenues. Mr. Braucht recalled that he had appeared before the Council at its last meeting protesting the closing of Falls Avenue, and that the Council had postponed the vacation of the street until a southerly exit was opened, although the City declined to continue responsibility for maintenance or drainage. He explained that the recent rains had disclosed a definite drainage problem on Crescent and Roper Avenues where they intersect with Falls Avenue. He stated that the City Engineer had given him an estimate of \$150 as the cost of laying pipe under Falls Avenue to allow the flood waters north of Falls Avenue on Crescent and Roper to pass under Falls Avenue to the catch basin south of the intersection. Mr. Braucht suggested that the City furnish the pipe and engineering supervision and the property owners would provide the labor necessary to do the job. Councilman Rinn pointed out that the question of liability on the part of the City if the street remains open and in use must be considered. It was his suggestion that the City abandon the street at this time and that the property owners, together with the Schneider Bros., reach an agreement to maintain the street as a private thoroughfare. Another property owner stated that Roper Avenue has never been properly drained; instead of water flowing toward the Falls Avenue intersection, it all drains to the south end of the 600 block on Roper where it stands until evaporated. He pointed out that placing a pipe under Falls Avenue on Roper Avenue will only increase the problem. Councilman Richey stated that the property owners are facing a number of problems and that something should be done to help them even if the City does nothing but investigate the problems. On the motion of Councilman Richey the Council agreed to: (1) furnish sufficient material to correct the drainage

problem on Crescent and Roper Avenues, together with the necessary engineering supervision; (2) instruct the City Manager and City Engineer to meet with Schneider Bros. with the view of working out an arrangement whereby Falls Avenue can be maintained as a private thoroughfare; (3) check on measures necessary to correct the other problems mentioned by the property owners through the City Engineer's office.

ORD. NO. 570  
INTRODUCED  
VACATE FALLS  
AVENUE

Councilman Preszler then moved, Richey second, the introduction of Ordinance No. 570: "DECLARING THE INTENTION OF THE CITY COUNCIL OF THE CITY OF LODI TO VACATE THAT PORTION OF FALLS AVENUE LYING BETWEEN GRANT AVENUE AND ROPER AVENUE". The ordinance was introduced by a unanimous vote.

REQUEST FOR  
STREET LIGHT

Mr. O. S. Braucht then questioned the Council regarding the necessary procedure for installing street lights. He explained that he had a large light on the outside of his shop on North Hutchins Street and that he would offer this light if the City would install the light over the street and furnish the electricity. Mr. Weller stated that he would confer with the Superintendent of Utilities regarding the possibility of using the suggested light. He further suggested that Mr. Braucht contact the property owners in the neighborhood and secure their names to a petition requesting the installation of the light.

ZONING  
ORDINANCE  
NO. 469  
ADOPTED

ORDINANCE NO. 469, "AN ORDINANCE TO REGULATE, RESTRICT AND SEGREGATE THE LOCATION OF INDUSTRIES, BUSINESSES, TRADES, APARTMENTS, DWELLINGS AND OTHER SPECIFIED USES; TO REGULATE AND LIMIT THE HEIGHT AND BULK OF BUILDINGS HEREAFTER ERECTED; TO REGULATE AND DETERMINE THE AREA OF YARDS AND OTHER OPEN SPACES; FOR SAID PURPOSES TO DIVIDE THE CITY INTO DISTRICTS; TO PROVIDE FOR ENFORCEMENT AND PRESCRIBE PENALTIES FOR THE VIOLATION OF ITS PROVISIONS; AND TO REPEAL ORDINANCE NO. 238 AND ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith, IN SO FAR AS SUCH CONFLICT MAY EXIST", having been introduced at the meeting of November 5, 1952, was brought up for passage on motion of Councilman Richey, Robinson second, second reading omitted, after reading of title, by unanimous consent, and then passed, adopted and ordered to print by the following vote:

AYES: Councilmen Preszler, Richey, Rinn and Robinson

NOES: Councilmen, None

ABSENT: Councilmen, Haskell

Mayor pro tem Rinn then signed Ordinance No. 469 in approval thereof.

City Attorney Mullen then suggested that a letter from the Council be sent to the City Planning Commission thanking that body for the long hours spent in the study and preparation of the Zoning Ordinance, Ordinance No. 469. Mayor pro tem Rinn then expressed appreciation on behalf of the City Council and the City Planning Commission to Mr. Howard Bissell who, acting as consultant to the Planning Commission, was largely responsible for the fine piece of work.

## REPORTS OF THE CITY MANAGER

AMA  
CONVENTION

The City Manager reminded the members of the Council about the annual convention of the American Municipal Association, but stated that he had not received a copy of the complete agenda.

RES. 1711  
AWARD  
POLICE CAR


The City Manager reported that the City had received a bid from Loewen Auto Company to furnish one Chevrolet sedan complete with Power Glide for the price of \$1837.71 including tax and including trade-in of a 1942 Ford. Mr. Weller recommended that the contract be awarded to Loewen Auto Company. Councilman Preszler moved, Richey second, the adoption of Resolution No. 1711 awarding the contract as recommended.

RES. 1708  
AND  
RES. 1712  
ADOPTEDRIECK  
ANNEXATION

Mr. Weller reported that the County Boundary Commission had approved two different descriptions for the Rieck annexation. The difference between the two descriptions was that one included the Veit property while the other did not. Mr. Weller explained that the decision on the part of Mrs. Veit depended upon securing information from the City which we were unable to furnish at this time. He suggested that it would be possible to adopt two resolutions of intention at this meeting and then select one description for annexation after the public hearing. On the motion of Councilman Robinson, Richey second, Resolution No. 1708, declaring the intention of the Council to annex the territory excluding the Veit property, was adopted. The Council then adopted Resolution No. 1712, declaring the intention to annex the territory including the Veit property, on the motion of Councilman Preszler, Robinson second.

At 9:50 o'clock p.m. the meeting was adjourned to 12:00 noon, Friday, November 21, 1952.

ATTEST

  
City Clerk